

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DRAGOMIR TASKOV,

Defendant.

2:10-CR-00217-PMP-PAL

ORDER

Before the Court for consideration is Defendant Dragomir Taskov's Pro Se Motion for a New Trial (Doc. #343). Defendant Taskov brings his motion pursuant to Rule 33 of the Federal Rules of Criminal Procedure based upon newly discovered evidence. However, as noted in the Opposition filed on behalf of Plaintiff United States (Doc. #345), Defendant Taskov fails to identify any newly discovered evidence that was not available to him or his counsel through discovery, and fails to specify how the evidence would be exculpatory to him. Indeed, the evidence which Defendant Taskov contends is "newly discovered" was in fact produced for and available to the defense in discovery and prior to trial.

As the Court finds Defendant Taskov has failed to satisfy the requirements to prevail on a motion for a new trial based upon newly discovered evidence, *United States v. Hinkson*, 526 F.3d 1262 (9th Cir. 2008), the Court finds Defendant Taskov's Motion for a New Trial (Doc. #343) must be denied.

IT IS SO ORDERED.

DATED: September 9, 2014.



PHILIP M. PRO
United States District Judge